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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of: Turek, David G. et al.  
 Application No.: 09/892,205 Group No.: not yet assigned  
 Filed: June 26, 2001 Examiner: not yet assigned  
 For: Method and Apparatus for Establishing a Customized Electronic Site

Box Missing Part  
 Commissioner for Patents  
 Washington, D.C. 20231

**COMPLETION OF FILING REQUIREMENTS  
-- NONPROVISIONAL APPLICATION**

**I.** This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed August 21, 2001.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

**DECLARATION OR OATH**

**II.** The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

**SMALL ENTITY STATUS**

**III.** A statement that this filing is by a small entity was previously filed.

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date: December 21, 2001

**FACSIMILE**

transmitted by facsimile to the Patent and Trademark Office at (703) \_\_\_\_\_.

Signature

Elizabeth P. Morano

01/11/2002 AGOITOM 0000004 194972 09892205

(type or print name of person certifying)

06 FC:216 200.00 CH

(Completion of Filing Requirements--Nonprovisional Application--page 1 of 3)



Proprietor's Docket No. 2437/103

PATENT

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## COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

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As a below named inventor, I hereby declare that:

### TYPE OF DECLARATION

This declaration is for an original application.

### INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

### TITLE OF INVENTION

Method and Apparatus for Establishing a Customized Electronic Site

### SPECIFICATION IDENTIFICATION

The specification was filed on June 26, 2001, as Serial No. 09/892,205.

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

### CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (35 U.S.C. Section 119(e))

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER	FILING DATE
60/214,301	June 26, 2000
60/220,310	July 24, 2000

### POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Elizabeth P. Morano	42,904
Bruce D. Sunstein	27,234
Robert M. Asher	30,445
Timothy M. Murphy	33,198
Steven G. Saunders	36,265
Harriet M. Strimpel	37,008
Karen A. Buchanan	37,790
Samuel J. Petuchowski	37,910
Jeffrey T. Klayman	39,250
John J. Stickevers	39,387
Jean M. Tibbetts	43,900
Jay Sandvos	44,729
Sonia K. Guterman	45,235
Keith J. Wood	45,243
Yang Xu	47,299
Alton Hornsby, III	47,953
Alexander J. Smolenski	47,953
John L. Conway	48,241

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

---

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

Elizabeth P. Morano  
617-443-9292

Elizabeth P. Morano  
125 Summer Street  
Boston, MA 02110  
USA

Customer Number 02101

---

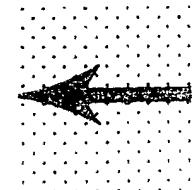
#### DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

#### SIGNATURE(S)

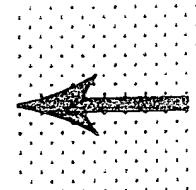
David G. Turek  
Inventor's signature

Date \_\_\_\_\_ Country of Citizenship US  
Residence Calabasas, CA  
Post Office Address 23135 Park Contessa, Calabasas, CA 91302



Jon Y. Saferstein  
Inventor's signature

Date \_\_\_\_\_ Country of Citizenship US  
Residence Los Angeles, CA  
Post Office Address 12301 First Helena Drive, Los Angeles, CA 90049



Lisbeth J. Schaibly

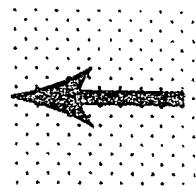
Inventor's signature

Date

Country of Citizenship US

Residence Los Angeles, CA

Post Office Address 8404 Regis Way, Los Angeles, CA 90045





**COMBINED DECLARATION AND POWER OF ATTORNEY**

**ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
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617-443-9292

Elizabeth P. Morano  
125 Summer Street  
Boston, MA 02110  
USA

Customer Number 02101

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

#### SIGNATURE(S)

David G. Turek  
Inventor's signature

Date \_\_\_\_\_ Country of Citizenship US  
Residence Calabasas, CA  
Post Office Address 23135 Park Contessa, Calabasas, CA 91302

Jon Y. Saferstein  
Inventor's signature

Date 6/29/01 Country of Citizenship US  
Residence Los Angeles, CA  
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Lisbeth J. Schaibly

Inventor's signature

Date 11/29/01

Residence Los Angeles, CA

Post Office Address 8404 Regis Way, Los Angeles, CA 90045

*Lisbeth J. Schaibly*

Country of Citizenship US

0000000005-010702





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125 SUMMER STREET  
BOSTON, MA 02110-1618  
(617) 443-9292

## IMPORTANT NOTE CONCERNING SMALL ENTITIES

United States patent law currently provides for reduction of most fees payable to the United States Patent and Trademark Office (PTO), including filing, extension, and maintenance fees, by fifty percent (50%) for a patent or patent application pertaining to an invention owned by a "small entity," which can be an independent inventor<sup>1/</sup>, a non-profit organization<sup>2/</sup>, or a small business concern<sup>3/</sup> as defined in the law.

Small entity status will be lost if any rights in the invention are (or are made subject to an obligation to be) licensed or transferred to a party other than a small entity, or if the patent owner or applicant ceases to qualify as a small entity (for example, by reason of internal growth or affiliation). The loss of small entity status must be reported to the PTO in connection with each patent or patent application, and the fee reduction will no longer be applicable. Continued payment at the reduced rate by a party that has lost small entity status can result in a finding of invalidity of the patent or patent application. Consequently, we urge that patent owners or applicants with small entity status check to ensure that they continue to qualify for such status before payment of each fee.

- 1/ An independent inventor is defined as an inventor who has not transferred or licensed, and is under no obligation to transfer or license, any rights in the invention to any person who could not likewise be classified as an independent inventor if that person made the invention or to any concern that would not qualify as a non-profit organization or a small business concern.
- 2/ A non-profit organization is defined as (1) a university or other institution of higher education located in any country, or (2) an organization having tax exempt status under sections 501(c)(3) and 501(a) of the United States Internal Revenue Code, or (3) any non-profit scientific or educational organization qualified under the non-profit laws of a state in the United States, or (4) any non-profit organization located in a foreign country that would, if located in the United States, qualify as a non-profit organization under either clause (2) or clause (3) above.
- 3/ A small business concern is defined as a business that, with its affiliates, has 500 or fewer full-time, part-time, and temporary employees, and that has not transferred or licensed, and is under no obligation to transfer or license, any rights in the invention to any person or entity who could not likewise be classified as a small entity. Concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. The number of employees of a business concern is determined by averaging the number of persons of the concern and its affiliates employed on a full-time, part-time or temporary basis during each of the pay periods for the preceding completed twelve (12) calendar months.

## STATEMENT CLAIMING SMALL ENTITY STATUS

Applicant(s): Turek et al.

Serial No: 09/892,205

Date Filed: June 26, 2001

For: Method and Apparatus for Establishing a Customized Electronic Site

I have read the Important Note Concerning Small Entities provided to me with this document.<sup>1</sup>

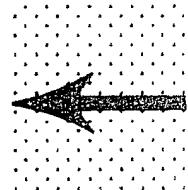
It is my understanding that yoLogo, Inc. is entitled to claim small entity status for purposes of paying reduced fees with regard to the above invention because:

yoLogo, Inc. qualifies as a small business as described in the Important Note. Furthermore, rights to the captioned invention are not licensed or subject to obligation to be licensed to a party other than a small entity.

I acknowledge the duty to file, in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



02437/00103 163383.1

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<sup>1</sup>Please call if you have questions regarding any aspect of the requirements of small entity status.